

REJECTION UNDER 35 U.S.C. § 112

Claims 1 and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Claims 1 and 15 have been amended to overcome the rejection.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Singer (U.S. Pat. No. 5,636,424). In view of the arguments and amendments herein, this rejection is respectfully traversed.

The Examiner's attention is directed to amended independent Claims 1 and 9 which have been amended to include the limitation that the restraint model is based upon a design of experiments involving restraint factors and the occupant response. Further, Claim 1 has been amended to add the limitation that the restraint factors are indicative of deployable components within a safety restraint design.

While the Singer, et al. reference teaches an iterative process for optimizing the trajectory of a movable seat within a vehicle in a single crash situation, the reference does not disclose the use of a design of experiments involving the plurality of restraint factors as well as occupant responses to set the initial values of the occupant restraint factor response model or the values of components within the vehicle. Claims 1 and 9 include the limitation that the restraint factors as claimed in the instant application relate to deployable components within a safety restraint design and, as such, includes components having varying outputs depending upon specific vehicle crash conditions.

With respect to the rejections of Claims 18-20, the Examiner's attention is directed to amended independent Claim 18 which incorporates the limitations of herein cancelled Claim 20. Applicant respectfully submits that nowhere within the reference cited is a method for designing a safety restraint disclosed which incorporates the formation of a restraint model and a graphical methodology for modifying restraint factors as well as setting desired occupant restraint values. As such, Applicant respectfully asserts that rejection under 35 U.S.C. § 102(b) is improper.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (586) 726-3905.

Respectfully submitted,

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